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FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

Room 222
Dockets

23 FEB 1993

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Honorable Bob Smith
United States Senate
Dirksen Building
Suite 332
Washington, D.C. 20510

Dear Senator Smith:

This is in reply to your letter of February 1, 1993, in which you inquired on behalf of several of your constituents regarding the Notice of Proposed Rule Making (Notice) in PR Docket No. 92-235, 57 FR 54034 (1992). This Notice proposes comprehensive changes to the Commission's Rules governing the private land mobile radio services operating in the frequency bands below 512 MHz.

Those rules have been in place for over 20 years. While they have been amended on numerous occasions since that time, they nonetheless embody regulatory concepts based on yesteryear's technology and, unless changed, will stifle the growth and development of private land mobile radio technology and services, which are used primarily by local governments, public safety entities, and businesses to enhance their productivity. The Commission issued the Notice, therefore, to solicit comment from all interested persons on a wide variety of proposals designed to increase channel capacity, to promote more efficient use of these channels, and to simplify the rules governing use of these channels.

The proposals in the Notice reflect to a large extent concepts and proposals submitted in the initial inquiry stages of this proceeding. None of the proposals set forth in the Notice, however, are engraved in stone. Indeed, the proposals represent our best judgment at this stage of the proceeding on steps that must be taken to improve the regulatory climate for users of the private land mobile radio spectrum below 512 MHz. To this end, some of the critical issues that must be resolved relate to channel spacing, the amount of time provided to users to convert to new technical standards, how the 300 to 500 percent increase in channel capacity should be licensed, how the rules should be written to provide users technical flexibility, and whether the current nineteen radio services should be consolidated and, if so, how. I have enclosed for your information a copy of that part of the Notice that describes the numerous proposals.

Your constituents are specifically concerned about the impact of these changes on radio control (R/C) hobby users. Enclosed is a discussion paper concerning our proposals for the 72-76 MHz band. In short, we expect there would be no adverse impact on R/C operations because of any proposal contained in the Notice.

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Honorable Bob Smith

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We are, of course, sensitive to the concerns of both users of private land mobile radio spectrum and R/C hobbyists. We will, therefore, take into careful consideration all their comments. Your constituents' concerns will be fully evaluated when we develop final rules in this proceeding. As indicated in the Notice, we remain convinced that without significant regulatory change in radio operations in the bands below 512 MHz, the quality of communications in the private land mobile radio services will continue to deteriorate to the point of endangering public safety and the national economy.

We want to thank you for your interest in this proceeding. Comments on the proposals set forth in the Notice are due May 28, 1993, and Reply Comments are due July 14, 1993. We expect final rules to be issued in 1994. We urge your constituents to file formal comments on all aspects of the proposals.

Sincerely,

A handwritten signature in dark ink, appearing to read "Ralph A. Haller", written over the typed name.

Ralph A. Haller
Chief, Private Radio Bureau

Enclosures:

Notice

Order

Discussion paper

Congressional

DUE OBC: 2-18-93

PLEASE MAKE 2 EXTRA COPIES OF INCOMING, ATTACHMENTS,
AND REPLY FOR DOCKET FILE. ROOM 222.

BOB SMITH
NEW HAMPSHIRE
IN NEW HAMPSHIRE
1-800-922-2230

United States Senate
WASHINGTON, DC 20510-2903

PRB
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COMMITTEES:
ARMED SERVICES
ENVIRONMENT AND
PUBLIC WORKS
JOINT ECONOMIC
COMMITTEE

February 1, 1993

Ms. Lou Sizemore
Federal Communications Commission
Office of Legislative Affairs
1919 M Street, NW
Washington, D.C. 20554

Dear Lou:

I have received letters from several constituents regarding a decision by the FCC to create more land mobile frequencies by rearranging the 72-76 MHz band width. Many New Hampshirites fly and build radio controlled models and feel that they will be adversely affected by this decision.

January 18, 1993

The Honorable Bob Smith
United States Senate
Washington, D.C. 20510

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Dear Senator Smith :

I am writing you to request your help in a matter that would effect not only myself but thousands of others.

I build and fly radio controlled models, and belong to a local radio control club that has over 100 members, flying all sorts of aircraft. Ours is only one of many clubs this size or larger in New Hampshire. Some look at the building and flying of radio controlled models as merely playing with toys, but in reality it is so much more.

Radio controlled airplanes are a teaching tool that helps those involved understand material selection, structure, pride and accomplishment through sport flying or competition. Once our airships are complete we experience the laws of aerodynamics, sometimes with astounding results, and other times with disappointment, but we all adhere to strict safety guidelines. Each model, and flight teaches us something.

Many of the materials used on full sized aircraft, first were used in models to determine feasibility, and practicality. I know each time I board a private, or commercial plane it had its roots somewhere in a model. Many of the famous Radio Controlled models may be seen at the Smithsonian Institute.

Recently I was informed of a proposed change of rules currently under consideration by the Federal Communication Commission (FCC). The proceeding is **PR Docket 92-235**. If adopted, the new rules will have a profound negative effect on the frequencies currently assigned for modeling use by reducing currently usable frequencies, and increasing the risk of accidents and attendant liability for controlling model aircraft.

Our radio control frequencies are in the 72-76 MHz band. This band is used for private mobile land dispatch operations. However, our radio control frequencies are far enough apart from the land mobile frequencies that we have been able to share the band without either use interfering with the other.

Now the FCC wants to create more land mobile frequencies by splitting them into narrower bandwidths and rearranging the band plan. As a result, many land mobile frequencies will move closer to the radio control frequencies and cause interference to radio controlled

operations. I also understand that this will reduce the currently usable 50 frequencies to a mere 19 frequencies if the new rules are adopted.

When we fly our radio controlled models we go to great lengths to assure the safety of the operators, as well as bystanders, and the protection of property. During a typical flying session the modelers very carefully coordinate the use of these frequencies, our safety depends on it, and if I might say so we are experts at it. If the usable number of frequencies are diminished as proposed by the FCC, the remaining frequencies will become congested and the margin for safety will be greatly reduced.

Please understand that many of the models to which I refer have wing spans up to 10 feet and weigh as much as 30 to 40 pounds. The models take from tens to thousands of hours to build not to mention the expense. Models like these have outstanding safety records, but out of control they are capable of causing great property damage, serious injury, or even death if radio interference causes loss of control to the operator. We as clubs or groups often fly in organized events or competitions where hundreds of operators may participate. We need the use of our full compliment of frequencies to assure the safety of others as well ourselves, and our aircraft.

I don't think it is wise of the FCC to seek to improve the operating conditions of land mobile radio users at the expense of radio control modelers. The FCC may not think we are as important as business users of radios, but we have made a considerable investment in our models and our radio equipment. The hobby provides thousands of modelers and myself many hours of enjoyment and contributes to the advancement of the commercial aviation industry.

Please help me continue the safe enjoyment of my pastime by not allowing the FCC to carry out its proposals for the 72-76 MHz band.

Sincerely,

John L Hayes
RFD # 3, 17 mile LN
MANCHESTER NH 03103